IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 28354 of 2007(A)

PETITIONER:

V.K.VINODKUMAR,
KEEZH SANTHI, KAMANKULANGARA DEVASWOM,
KARUNAGAPPALLY GROUP, TRAVANCORE DEVASWOM BOARD.

BY ADV. SRI.M.V.S.NAMBOOTHIRY,
ADV. SRI.R.VINOD.

RESPONDENTS:
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1. **TRAVANCORE DEVASWOM BOARD,**
   REPRESENTED BY ITS SECRETARY,
   DEVASWOM BOARD OFFICE, NANDANCODE,
   TRIVANDRUM.

2. **THE DEVASWOM COMMISSIONER,**
   TRAVANCORE DEVASWOM BOARD, NANDANCODE,
   THIRUVANANTHAPURAM.

3. **THE ASST. DEVASWOM COMMISSIONER,**
   TRAVANCORE DEVASWOM BOARD,
   KARUNAGAPPALLY GROUP.

4. **G.MOHANKUMAR,**
   KEEZHSANTHI, ERUVA DEVASWOM,
   KARUNAGAPPALLY.

W.P.(C). NO.28354/2007:

5. N.SREEKUMAR,
PANMANA DEVASWOM,
KARUNAGAPPALLY GROUP.

BY ADV. SRI. D. SREEKUMAR, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C) No.28354 of 2007

Dated this the 10th day of October 2007

JUDGMENT

Petitioner is currently working as Keezhsanthi in the Kamankulngara Devaswom in the Karunagappally Group of Travancore Devaswom. Apparently, for the purpose of general transfers in the course of 2007-2008, he had given an option to be considered for a posting at the Panmana Devaswom, also falling within the Karunagappaly Group. His request was not accepted as evidenced by Ext.P3, in which one Sankaran Namboothiri was posted at Panmana Devaswom.

2. Subsequently Sri. Sankaran Namboothiri was selected as a Melsanthi of Chettikulangara Temple and therefore he was moved to the said temple. Vacancy therefore arose in the Panmana Devaswom on 16.8.2007, as submitted by Mr.Sreekumar, Standing Counsel for the Devaswom Board.

3. It seems that the 5th respondent had earlier availed of leave for studies, but, apparently, since he did

not get an admission, he cancelled the unexpired portion of leave and sought for a posting back in the Karunagappally Group itself wherein he was previously functioning. Though, earlier, it seems that the Commissioner had directed him to be posted at Kottayam, finding that a vacancy had arisen in the Panmana Devaswom in Karunagappally Group, the 5th respondent was accommodated at Panmana as per Ext.P2 order. The said order reveals that the posting of the 5th respondent in Panmana Devaswom is purely temporary. The petitioner approached this Court with the instant writ petition on the premise that he is senior to the 5th respondent and that he had indicated an option, even before the General Transfers for the year 2007-2008, for a posting in Panmana Devaswom. For some extraneous reasons, his claim has been ignored. Therefore he should be directed to be posted at Panmana Devaswom.

4. On instructions, learned counsel for the Devaswom Board submitted that the 5th respondent was earlier functioning in the Karunagappally Group, when he

had proceeded on leave for studies. Apparently, he had cancelled the unexpired portion of the leave and when he returned, he was accommodated in the Panmana Devaswom which falls within the Karunagappally Devaswom Group. It is made clear in Ext.P2 that the posting of the 5th respondent is purely temporary and on that basis postings and transfers will be reviewed in the course of the year 2008-2009. This submission is recorded.

5. After having heard the learned counsel for the petitioner and learned Standing Counsel for the Devaswom Board, the writ petition is disposed of making it clear that the petitioner's claim for a posting in Panmana Devaswom which has been made by him prior to the General transfers for the year 2007-2008 and which he has reiterated under Exs.P1 and P4 shall be considered by the Devaswom Board in accordance with the norms in the course of general transfers for the year 2008-2009. In doing so, Devaswom Board shall necessarily keep in mind the fact that the posting of the 5th respondent, in Panmana Devaswom as per Ext.P2 is

provisional.

6. It is open to the petitioner to re-iterate his request, by means of a representation which he may file before the Devaswom Board, within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

V.GIRI, JUDGE

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